

EXHIBIT 2

Smith, Sharon R.

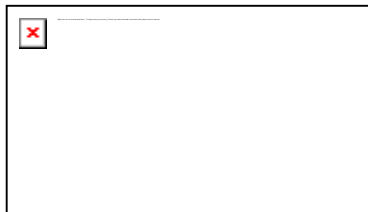
From: Cindy Tijerina <ctijerina@cunninghamswaim.com>
Sent: Monday, June 19, 2017 2:01 PM
To: Carter, Winn; Chiaviello, Elizabeth M.; Smith, Sharon R.
Cc: MLB HO Filings; perrone@bhp-ip.com; braxton@bhp-ip.com; hilton@bhp-ip.com; Maydwell, Wayne B.; Lolua, Yelena; Thomas Wright; Rebecca Solomon; Ross
Subject: Cunningham; emily.crocker@morgnanlewis.com
Attachments: Lucie Bags v. Younique
Luci Bags Supp Disclosures.pdf

Counsel,

Attached find Plaintiff's Supplemental Rule 26(a)(2) Disclosures.

With kind regards,

Cindy Tijerina
Senior Litigation
Paralegal
Cunningham Swaim,
LLP
7557 Rambler Road,
Suite 400
Dallas, TX 75231
469.729.7005 (Direct)
214.646.1495 (Main)



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

LUCI BAGS LLC,

Plaintiff

vs.

YOUNIQUE, LLC,

Defendant

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Civil Action No. 4:16-cv-00377 (ALM)

PLAINTIFF’S SUPPLEMENTAL RULE 26(a)(2) DISCLOSURES

Pursuant to Federal Rule of Civil Procedure 26(a)(2) and Local Rule CV-26(b), Plaintiff Luci Bags LLC makes the following supplemental designation of expert witnesses:

1. Rule 26(a)(2)(C)

Plaintiff Luci Bags LLC designates the following non-retained person to provide expert testimony in this matter at trial:

Rebecca Lucas
14956 Turnbridge Drive
Frisco, Texas 75035
(469) 814-0035

Rebecca Lucas is the founder and CEO of Luci Bags LLC. Since 2008, she has been designing, manufacturing, marketing and selling display tote bags. Based on her experience and knowledge gained at Luci Bags LLC and working in the market for display tote bags, Ms. Lucas is expected to testify as an expert on the design, construction and manufacture of Luci Bags display tote bags; the design, construction and manufacture of other display tote bags on the market; and different ways that display bags, including totes, can be designed, constructed and/or manufactured. She is also expected to testify about the materials used to construct and/or manufacture display tote bags. She is also expected to testify about the market for display totes, including but not limited to, the typical user of display totes; commercially acceptable features, design and construction of display totes; and sales and uses for display totes. She is further expected to testify about the designs and construction of competitor display totes that do and do not infringe on Luci Bags’s trade dress.

Ms. Lucas will opine, among other things, at trial that the stripes that comprise her trade dress serve no functional purpose and are merely arbitrary and ornamental flourishes to decorate the tote bags. Since she has been in the market for display tote bags, these features have become recognized as a source identifier for Luci Bags. She is also expected to testify at trial that there

are multiple ways that a seam created by sewing clear display material to a tote bag can be hidden or covered in multiple ways, but that doing so is not necessary for the commercial viability of a display tote bag. She will also testify that the use of bias tape or other trim is not necessary to complete the construction of the display pockets on a display tote bag. She will also testify that the use of material to cover zipper seams does not necessarily infringe the Luci Bags trade dress, but that use of material that creates a visual contrast with the bag itself does infringe the trade dress. She will also testify about the available material, manufacturing and construction options available when commercially manufacturing display totes at various volumes and the limitations thereof at certain volume amounts. She will testify that the primary purchasers and/or users of display totes are women involved in direct sales of other products and will testify that there are many configurations and designs that would be commercially acceptable to consumers within this specific market. This is merely a summary of Ms. Lucas's expected testimony at trial and should not be construed as limiting her opinions on the identified subject matter of her testimony.

Plaintiff reserves the right to elicit opinion testimony from any expert designated by Defendants.

Dated: June 19, 2017

Respectfully submitted,

/s/ Thomas C. Wright

Ross Cunningham

State Bar No. 24007062

Thomas C. Wright

State Bar No. 24028146

Rebecca L. Solomon

State Bar No. 24083892

Cunningham Swaim, LLP

7557 Rambler Road, Suite 400

Dallas, TX 75231

Telephone: (214) 646-1495

Facsimile: (214) 613-1163

rcunningham@cunninghamswaim.com

twright@cunninghamswaim.com

**COUNSEL FOR PLAINTIFF LUCI
BAGS, LLC**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document has been served on all counsel of record via the Court's CM/ECF system per Local Rule CV-5(a)(3) this 19th day of June, 2017.

/s/ Thomas C. Wright

Thomas C. Wright